



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/831,899	05/24/2001	Gerard Reynaud	208822US6XPC	.3169
------------	------------	----------------	--------------	-------

22850 7590 08/16/2002

OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER

EREZO, DARWIN P

ART UNIT

PAPER NUMBER

3761

DATE MAILED: 08/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Interview Summary

Application No. 09/831,899	Applicant(s) GERARD REYNAUD	
Examiner AARON J. LEWIS	Art Unit 3761	

All participants (applicant, applicant's representative, PTO personnel):

- | | |
|--------------------------------------|-----------|
| (1) <u>AARON J. LEWIS</u> | (3) _____ |
| (2) <u>ECKHARD KUESTERS (28,870)</u> | (4) _____ |

Date of Interview Aug 15, 2002

Type: a) ☐ Telephonic b) ☐ Video Conference
 c) ☒ Personal (copy is given to 1) ☐ applicant 2) ☒ applicant's representative]
 Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: 9-16

Identification of prior art discussed:
KETTL ET AL. ('417); ANSITE ET AL. ('269); BOLNBERGER ET AL. ('415)

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

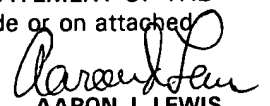
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

MR. KUESTERS ARGUED THAT THE PRIOR ART LACKS A MOUTHPIECE CONSISTENT WITH THAT OF THE INSTANT INVENTION BECAUSE IT IS NOT POINTED DIRECTLY AT A WEARER'S MOUTH AND THERE IS NO EXPRESS DISCLOSURE OF ANY STRUCTURE WHICH PERFORMS THE FUNCTION OF A MOUTHPIECE MR. KUESTERS ALSO PRESENTED A PROPOSED AMENDMENT WHICH OVERCOMES THE 35 USC 101 REJECTION. EX. LEWIS ARGUED THAT THE HOUSING AROUND THE MICROPHONE DIAPHRAGMS OF THE PRIOR ART ARE CONSISTENT WITH THE STRUCTURE OF THE MOUTHPIECE AS CLAIMED AND THEREFORE ARE FULLY CAPABLE OF PERFORMING THE RECITED FUNCTION.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached


AARON J. LEWIS
PRIMARY EXAMINER
ART UNIT 3761

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required